



AFKw

Filed by Party Cerrina et al.

Paper No. \_\_\_\_\_

By: Roger W. Parkhurst  
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STEPTOE & JOHNSON LLP  
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UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

CALVIN F. QUATE and DAVID STERN  
(Junior Party)  
(Patent 6,480,324)

v.

FRANCESCO CERRINA, MICHAEL R. SUSSMAN,  
FREDERICK R. BLATTNER, SANGEET SINGH-GASSON  
and ROLAND GREEN  
Senior Party  
(Application 09/637,891).

Patent Interference No. 105,446  
(Technology Center 1600)

CERRINA SEPARATE NOTICE OF LEAD COUNSEL

CERRINA SEPARATE NOTICE OF LEAD COUNSEL

While papers filed here on July 20, 2006 were signed by the undersigned, who is identified as lead counsel for the Party Cerrina, we have noted that more complete compliance with Rule 108(b) and SO 108 is appropriate. Hence this separate notice.

Lead counsel for Party Cerrina is:

Roger W. Parkhurst  
Reg. No. 25,177  
STEPTOE & JOHNSON LLP  
1330 Connecticut Ave., N.W.  
Washington, DC 20036  
Tel: (202) 429-6420  
Fax: (202) 429-3902  
E-mail: rparkhurst@steptoe.com

Backup lead counsel for Party Cerrina are

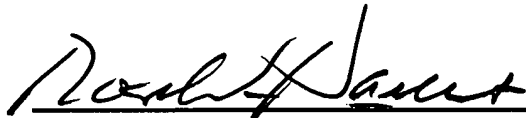
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Washington, DC 20036  
Tel: (202) 429-8090  
Fax: (202) 429-3902  
E-mail: swatkins@steptoe.com

1 A Power of Attorney authorizing the aforementioned lead counsels to act for  
2 Party Cerrina in this case was filed on July 20, 2006; copy attached.

3 Respectfully submitted,  
4 Party Cerrina et al.

5  
6  
7 July 24, 2006  
8  
9 Atty. Dkt. No. 29309.0002  
10  
11  
12  
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14  
15

  
Roger W. Parkhurst  
Reg. No. 25, 177  
Lead Attorney for Party Cerrina et al.  
STEPTOE & JOHNSON LLP  
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E-mail: [rparkhurst@steptoe.com](mailto:rparkhurst@steptoe.com)

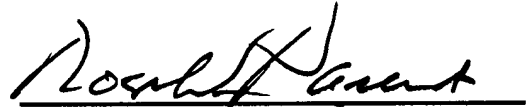
CERTIFICATE OF SERVICE

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It is hereby certified that a true copy of the foregoing CERRINA NOTICE OF  
LEAD COUNSEL, with attachment was served by e-mail/pdf upon:

oashe@gbpatent.com  
Oliver Ashe, Jr.  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
Attorney for Party Quate et al.

This 24<sup>th</sup> day of July, 2006



Roger W. Parkhurst  
Reg. No. 25, 177  
Attorney for Party Cerrina et al.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Francesco Cerrina, *et al.* Art Unit: : 1631  
Serial No. : 09/637,891 Examiner : Ardin H. Marschel  
Filed : August 9, 2000  
Title : METHOD AND APPARATUS FOR SYNTHESIS OF ARRAYS OF DNA  
PROBES

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

POWER OF ATTORNEY BY ASSIGNEE

Under 37 CFR §3.73(b), Wisconsin Alumni Research Foundation, certifies that it is the assignee of 100% of the right, title and interest in the patent application identified above by virtue of:

☒ An assignment from the inventor of the patent application identified above (copy attached)

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee.

The undersigned, acting on behalf of the assignee, hereby appoints all Attorneys and Agents associated with:

**27890**  
PTO Customer Number

with full power of substitution and revocation, to prosecute the application and to transact all business in the United States Patent and Trademark Office connected therewith.

All correspondence regarding the application should be sent to:

**27890**  
PTO Customer Number

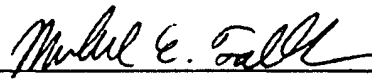
Applicant : Francesco Cerrina, et al.  
Serial No. : 09/637,891  
Filed : August 9, 2000  
Page : 2 of 2

Attorney's Docket No.: 29309.0002

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

Date: 7-20-06

  
Name: Michael E. Falk  
Title: Director of Intellectual Property  
Wisconsin Alumni Research Foundation

Steptoe & Johnson LLP  
1330 Connecticut Avenue, NW  
Washington, DC 20036-1795  
Telephone: 202-429-3000  
Facsimile: 202-429-3902



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JULY 22, 1999

PTAS

WISCONSIN ALUMNI RESEARCH FOUNDATION  
LESLIE RECTOR  
614 WALNUT STREET  
MADISON, WI 53705



\*101043130A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/18/1999

REEL/FRAME: 009961/0123  
NUMBER OF PAGES: 7

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

CERRINA, FRANCESCO

DOC DATE: 04/09/1999

ASSIGNOR:

SUSSMAN, MICHAEL R.

DOC DATE: 04/16/1999

ASSIGNOR:

BLATTNER, FREDERICK R.

DOC DATE: 04/21/1999

ASSIGNOR:

SINGH-GASSON, SANGEET

DOC DATE: 04/16/1999

ASSIGNOR:

GREEN, ROLAND D.

DOC DATE: 04/16/1999

ASSIGNEE:

WISCONSIN ALUMNI RESEARCH  
FOUNDATION  
614 WALNUT STREET  
MADISON, WISCONSIN 53705

798099615 Francesco Cerrina

009961/0123 PAGE 2

SERIAL NUMBER: 09253460  
PATENT NUMBER:

FILING DATE: 02/22/1999  
ISSUE DATE:

SHIRLIE SIMON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



05-24-1999

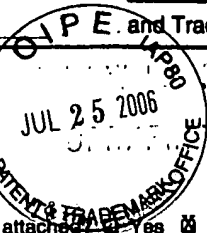
# IDENTIFICATION FORM COVER SHEET PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office



Tab

101043130



Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

- 1) Cerrina, Francesco
- 2) Sussman, Michael R.
- 3) Blattner, Frederick R.
- 4) Singh-Gasson, Sangeet
- 5) Green, Roland D.

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies)

Name: Wisconsin Alumni Research Foundation

Internal Address: \_\_\_\_\_

Street Address: 614 Walnut Street

City: Madison State: WI ZIP: 53705

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
- ☐ Security Agreement ☐ Change of Name
- ☐ Other \_\_\_\_\_

Execution Date: 1): 04/09/99; 2,4,5): 04/16/99

4. Application number(s) or patent number(s): 09/253,460 Filed: 02/22/99

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Wisconsin Alumni Research Foundation

Internal Address: \_\_\_\_\_

Street Address: 614 Walnut Street

City: Madison State: WI ZIP: 53705

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

☐ Enclosed

☒ Authorized to be charged to deposit account

8. Deposit account number:

23-2545

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Leslie Rector

Name of Person Signing

Leslie Rector

Signature

5/13/99

Date

Total number of pages including cover sheet, attachments, and document: 9

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231

**ASSIGNMENT  
(Joint Inventors)**

I am one of the persons identified as an inventor and who has contributed to a certain new and useful invention (the "Invention"), as set forth in an application for United States Letters Patent, bearing substantially the following title and bearing the following serial number. The application was executed by me, and it was filed on the indicated date:

Title: METHOD AND APPARTUS FOR SYNTHESIS OF ARRAYS OF DNA PROBES

Serial Number: 09/253460

Date Filed: 2/22/99

The assignee under this agreement is hereby authorized to insert the filing date and serial number referred to above, when ascertained.

For good and valuable consideration, I do hereby sell, assign, and transfer to the Wisconsin Alumni Research Foundation (hereinafter "WARF") a non-stock, non-profit Wisconsin corporation, and to its legal representatives, successors, and assigns, my entire right, title and interest in and to the Invention and to all United States and foreign patent applications any of whose claims cover all or part of the Invention, together with all patents resulting from such applications. WARF shall hold such right, title, and interest as fully and completely as they would have been held by me had this assignment and sale not been made.

I agree, upon WARF's request, to execute or assent to such United States and foreign patent applications and to execute all separate assignments and other legal documents that WARF may find necessary or desirable in its exercise of the right, title, and interest assigned above. I also agree to communicate to WARF any facts relating to the Invention or to any of the patent applications or patents contemplated above that may be useful to WARF and to testify as to such facts in any interferences or in litigation, if requested to do so. I shall do all these things without additional compensation but at no expense to me.

I hereby request the Commissioner of Patents to issue to WARF, as the owner of my entire right, title, and interest therein, any Letters Patent of the United States that may be issued for the Invention.

ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P98077US

App.#: 09/253460, Filed: 2/22/99

Inventor:

FCerrina

Date:

4/9/99

Francesco Cerrina  
5496 Lacy Road  
Fitchburg, WI 53711

State of Wisconsin     )  
                                  )ss.  
County of Dane         )

On this 9 day of April, 1999, before me personally appeared Francesco Cerrina, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

Mary Ringibstetter  
Notary Public

My Commission expires:

9-22-02

ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P98077US

App.#: 09/253460, Filed: 2/22/99

Inventor: Michael R. Sussman

Date: 4/16/99

Michael R. Sussman  
4810 Waukesha Street  
Madison, WI 53705

State of Wisconsin    )  
                                  )ss.  
County of Dane        )

On this 16 day of April, 1999, before me personally appeared Michael R. Sussman, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

Mary Rengelstetter  
Notary Public

My Commission expires: 2-22-02

ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P98077US

App.#: 09/253460, Filed: 2/22/99

Inventor: Frederick R. Blattner

Date: April 21/99

Frederick R. Blattner  
1547 Jefferson Street  
Madison, WI 53711

State of Wisconsin    )  
                              )ss.  
County of Dane         )

On this 21 day of April, 1999, before me personally appeared Frederick R. Blattner, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

Mary Engelstetter  
Notary Public

My Commission expires: 2-22-02

ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P98077US

App.#: 09/253460, Filed: 2/22/99

Inventor: Sangeet Singh-Gasson

Sangeet Singh-Gasson

Date: 16. Apr. 1999

State of Wisconsin )

)ss.

County of Dane )

On this 16 day of April, 1999, before me personally appeared Sangeet Singh-Gasson, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

Mary Engelstetter  
Notary Public

My Commission expires: 9-22-02

ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P98077US

App.#: 09/253460, Filed: 2/22/99

Inventor: *Roland D. Green*

Date: 4-16-99

Roland D. Green  
2017 Frazer Place  
Madison, WI 53713

State of Wisconsin    )  
                                  )ss.  
County of Dane        )

On this 16 day of April, 1999, before me personally appeared Roland D. Green, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

*Mary Rungtetter*  
Notary Public

My Commission expires: 2-22-02



Filed by Party Cerrina et al.

Paper No. \_\_\_\_\_

By: Roger W. Parkhurst  
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UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

CALVIN F. QUATE and DAVID STERN  
(Junior Party)  
(Patent 6,480,324)

v.

FRANCESCO CERRINA, MICHAEL R. SUSSMAN,  
FREDERICK R. BLATTNER, SANGEET SINGH-GASSON  
and ROLAND GREEN  
Senior Party  
(Application 09/637,891).

Patent Interference No. 105,446  
(Technology Center 1600)

CERRINA RELATED APPLICATIONS OR PATENTS



CERRINA RELATED APPLICATIONS OR PATENTS

Pursuant to SO ¶ 8.2, Party Cerrina et al. hereby states that the following applications and patents either claim or may claim the benefit of priority of the filing date of Party Cerrina's involved application:

The involved Cerrina et al. application Serial No. 09/637,891, filed August 9, 2000, claims and has been accorded the benefit of prior applications Serial No. 60/075,641, filed February 23, 1998, now U.S. Patent 6,375,903, and Serial No. 09/253,460, filed February 22, 1999.

The benefit of each of the three above-identified applications may be claimed for pending application Serial No. 09/639,602, filed August 15, 2000.

Respectfully submitted,

Party Cerrina et al.



July 24, 2006

Atty. Dkt. No. 29309.0002

Roger W. Parkhurst  
Reg. No. 25, 177  
Lead Attorney for Party Cerrina et al.  
STEPTOE & JOHNSON LLP  
1330 Connecticut Ave., N.W.  
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Fax: (202) 429-3902  
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1                                    CERTIFICATE OF SERVICE

2                    It is hereby certified that a true copy of the foregoing CERRINA  
3 RELATEDAPPLICATIONS OR PATENTS was served by e-mail/pdf, upon:

4                                    oashe@gbpatent.com  
5                                    Oliver Ashe, Jr.  
6                                    GREENBLUM & BERNSTEIN, P.L.C.  
7                                    1950 Roland Clarke Place  
8                                    Reston, VA 20191  
9                                    Attorney for Party Quate et al.

10  
11       This 24<sup>th</sup> day of July, 2006

12  
13                                    

14                                    Roger W. Parkhurst  
15                                    Reg. No. 25, 177  
16                                    Attorney for Party Cerrina et al.



Filed by Party Cerrina et al.

Paper No. \_\_\_\_\_

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Reg. No. 25,177  
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E-mail: rparkhurst@steptoe.com

UNITED STATES PATENT AND TRADEMARK OFFICE  

---

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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CALVIN F. QUATE and DAVID STERN  
(Junior Party)  
(Patent 6,480,324)

v.

FRANCESCO CERRINA, MICHAEL R. SUSSMAN,  
FREDERICK R. BLATTNER, SANGEET SINGH-GASSON  
and ROLAND GREEN  
Senior Party  
(Application 09/637,891).

---

Patent Interference No. 105,446  
(Technology Center 1600)

---

CERRINA NOTICE OF RIGHT, TITLE AND INTEREST

CERRINA NOTICE OF RIGHT, TITLE AND INTEREST

Pursuant to SO ¶ 8.1, Party Cerrina et al. hereby states that the involved application Serial No. 09/637,891 is owned by Wisconsin Alumni Research Foundation, by assignment recorded in the USPTO at Reel 9961, Frame 123, copy attached hereto.

Additionally, NimbleGen Systems, Inc., Madison, Wisconsin, is an exclusive licensee under the involved application.

Respectfully submitted,

Party Cerrina et al.



July 24, 2006

Atty. Dkt. No. 29309.0002

Roger W. Parkhurst  
Reg. No. 25, 177  
Lead Attorney for Party Cerrina et al.  
STEPTOE & JOHNSON LLP  
1330 Connecticut Ave., N.W.  
Washington, DC 20036  
Tel: (202) 429-6420  
Fax: (202) 429-3902  
E-mail: rparkhurst@steptoe.com

CERTIFICATE OF SERVICE

It is hereby certified that a true copy of the foregoing CERRINA NOTICE OF  
RIGHT, TITLE AND INTEREST was served by e-mail/pdf upon:

oashe@gbpatent.com  
Oliver Ashe, Jr.  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
Attorney for Party Quate et al.

This 24<sup>th</sup> day of July, 2006



Roger W. Parkhurst  
Reg. No. 25, 177  
Attorney for Party Cerrina et al.



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

JULY 22, 1999

PTAS

WISCONSIN ALUMNI RESEARCH FOUNDATION  
LESLIE RECTOR  
614 WALNUT STREET  
MADISON, WI 53705



\*101043130A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/18/1999

REEL/FRAME: 009961/0123  
NUMBER OF PAGES: 7

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

CERRINA, FRANCESCO

DOC DATE: 04/09/1999

ASSIGNOR:

SUSSMAN, MICHAEL R.

DOC DATE: 04/16/1999

ASSIGNOR:

BLATTNER, FREDERICK R.

DOC DATE: 04/21/1999

ASSIGNOR:

SINGH-GASSON, SANGEET

DOC DATE: 04/16/1999

ASSIGNOR:

GREEN, ROLAND D.

DOC DATE: 04/16/1999

ASSIGNEE:

WISCONSIN ALUMNI RESEARCH  
FOUNDATION  
614 WALNUT STREET  
MADISON, WISCONSIN 53705

798099615 Francesco Cerrina

009961/0123 PAGE 2

SERIAL NUMBER: 09253460  
PATENT NUMBER:

FILING DATE: 02/22/1999  
ISSUE DATE:

SHIRLIE SIMON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

05-24-1999

# IDENTIFICATION FORM COVER SHEET PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office



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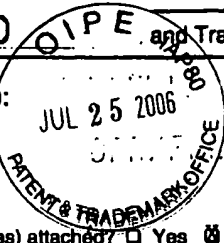
101043130

and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

- 1) Cerrina, Francesco
- 2) Sussman, Michael R.
- 3) Blattner, Frederick R.
- 4) Singh-Gasson, Sangeet
- 5) Green, Roland D.

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No



## 2. Name and address of receiving party(ies)

Name: Wisconsin Alumni Research Foundation

Internal Address: \_\_\_\_\_

Street Address: 614 Walnut Street

City: Madison State: WI ZIP: 53705

Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

- ☒ Assignment ☐ Merger
- ☐ Security Agreement ☐ Change of Name
- ☐ Other \_\_\_\_\_

Execution Date: 1): 04/09/99; 2,4,5): 04/16/99

5-18-99

## 4. Application number(s) or patent number(s): 09/253,460 Filed: 02/22/99

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Wisconsin Alumni Research Foundation

Internal Address: \_\_\_\_\_

Street Address: 614 Walnut Street

City: Madison State: WI ZIP: 53705

## 6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

☐ Enclosed

☒ Authorized to be charged to deposit account

## 8. Deposit account number:

23-2545

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

40E

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Leslie Rector

Name of Person Signing

Leslie Rector

Signature

5/12/99

Date

Total number of pages including cover sheet, attachments, and document: 9

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignments  
Washington, D.C. 20231



**ASSIGNMENT  
(Joint Inventors)**

I am one of the persons identified as an inventor and who has contributed to a certain new and useful invention (the "Invention"), as set forth in an application for United States Letters Patent, bearing substantially the following title and bearing the following serial number. The application was executed by me, and it was filed on the indicated date:

Title: METHOD AND APPARTUS FOR SYNTHESIS OF ARRAYS OF DNA PROBES

Serial Number: 09/253460

Date Filed: 2/22/99

The assignee under this agreement is hereby authorized to insert the filing date and serial number referred to above, when ascertained.

For good and valuable consideration, I do hereby sell, assign, and transfer to the Wisconsin Alumni Research Foundation (hereinafter "WARF") a non-stock, non-profit Wisconsin corporation, and to its legal representatives, successors, and assigns, my entire right, title and interest in and to the Invention and to all United States and foreign patent applications any of whose claims cover all or part of the Invention, together with all patents resulting from such applications. WARF shall hold such right, title, and interest as fully and completely as they would have been held by me had this assignment and sale not been made.

I agree, upon WARF's request, to execute or assent to such United States and foreign patent applications and to execute all separate assignments and other legal documents that WARF may find necessary or desirable in its exercise of the right, title, and interest assigned above. I also agree to communicate to WARF any facts relating to the Invention or to any of the patent applications or patents contemplated above that may be useful to WARF and to testify as to such facts in any interferences or in litigation, if requested to do so. I shall do all these things without additional compensation but at no expense to me.

I hereby request the Commissioner of Patents to issue to WARF, as the owner of my entire right, title, and interest therein, any Letters Patent of the United States that may be issued for the Invention.

ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P98077US

App.#: 09/253460, Filed: 2/22/99

Inventor: F Cerrina

Date: 4/9/99

Francesco Cerrina  
5496 Lacy Road  
Fitchburg, WI 53711

State of Wisconsin )  
                              )ss.  
County of Dane )

On this 9 day of April, 1999, before me personally appeared Francesco Cerrina, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

Mary Ringelstetter  
Notary Public

My Commission expires: 9-22-02

ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P98077US

App.#: 09/253460, Filed: 2/22/99

Inventor: Michael R. Sussman

Date: 4/16/99

Michael R. Sussman  
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State of Wisconsin    )  
                              )ss.  
County of Dane        )

On this 16 day of April, 1999, before me personally appeared Michael R. Sussman, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

Mary Rengelstetter  
Notary Public

My Commission expires: 2-22-02

ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P98077US

App.#: 09/253460, Filed: 2/22/99

Inventor: Frederick R. Blattner

Date: April 21/99

Frederick R. Blattner  
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State of Wisconsin )  
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County of Dane )

On this 21 day of April, 1999, before me personally appeared Frederick R. Blattner, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

Mary Rungelstetter  
Notary Public

My Commission expires: 2-22-02

ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P98077US

App.#: 09/253460, Filed: 2/22/99

Inventor:

Sangeet Singh-Gasson

Sangeet Singh-Gasson

Date: 16. Apr. 1999

State of Wisconsin )  
                                  )ss.  
County of Dane )

On this 16 day of April, 1999, before me personally appeared Sangeet Singh-Gasson, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

Mary Engelstetter  
Notary Public

My Commission expires: 9-22-02

ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P98077US

App.#: 09/253460, Filed: 2/22/99

Inventor: \_\_\_\_\_

*Roland D. Green*

Date: \_\_\_\_\_

*4-16-99*

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County of Dane        )

On this 16 day of April, 1999, before me personally appeared Roland D. Green, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

*Mary Rungtetter*  
\_\_\_\_\_  
Notary Public

My Commission expires: 2-22-02



Filed by Party Cerrina et al.

Paper No. \_\_\_\_\_

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UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

CALVIN F. **QUATE** and DAVID STERN  
(Junior Party)  
(Patent 6,480,324)

v.

FRANCESCO **CERRINA**, MICHAEL R. SUSSMAN,  
FREDERICK R. BLATTNER, SANGEET SINGH-GASSON  
and ROLAND GREEN  
Senior Party  
(Application 09/637,891).

Patent Interference No. 105,446  
(Technology Center 1600)

CLEAN COPY OF CERRINA'S INVOLVED CLAIMS

CLEAN COPY OF CERRINA'S INVOLVED CLAIMS

Pursuant to 37 CFR §41.110(a), Party Cerrina herewith files a clean copy of its involved claims 1-17, 19-36, 38 and 39 (of pending application Serial No. 09/637,891; claims 18 and 37 were canceled).

It is noted that the Declaration of Interference mailed July 6, 2006, page 4, erroneously states that those claims which correspond to Count 1 are: "Quate 1-39 Cerrina 1-13" in both instances. These statements should both be corrected to read:

--Quate 1-13

Cerrina 1-17, 19-36, 38 and 39--

Respectfully submitted,

Party Cerrina et al.



July 24, 2006

Atty. Dkt. No. 29309.0002

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INVOLVED CLAIMS OF CERRINA ET AL. S.N. 09/637,891

1. Apparatus for imaging a pattern on a surface, comprising:

(a) a substrate with an active surface on which arrays may be formed;

(b) an image former providing a high precision, two-dimensional light image projected onto the substrate active surface, comprising:

(1) a light source providing a light beam;

(2) a micromirror device receiving the light beam from the source and formed of an array of electronically addressable micromirrors, each of which can be selectively tilted between one of at least two separate positions, wherein in one of the positions of each micromirror the light from the source incident upon the micromirror is deflected away from an optical axis and in a second of the at least two positions of the micromirror the light is reflected along the optical axis; and

(3) projection optics receiving the light reflected from the micromirrors along the optical axis and imaging the pattern of the micromirrors onto the active surface of the substrate.

2. The apparatus of Claim 1 wherein the micromirror device is formed of a two dimensional array of micromirrors.

1     3.     The apparatus of Claim 1 including a lens for collimating the beam from the light  
2     source to provide a collimated beam projected onto the micromirror array at an oblique  
3     angle to a main optical axis that extends from the micromirror array to the substrate, and  
4     wherein in one position of each micromirror the light is reflected along the optical axis  
5     through the projection optics to the substrate and in a second position of each  
6     micromirror the light from the source is reflected at an angle off the main axis of the  
7     projection system and away from the substrate.

8

9     4.     The apparatus of Claim 1 wherein the light source provides an output beam to a  
10    lens which collimates the output beam, and including a beam splitter positioned between  
11    the micromirror array and the projection optics and receiving the collimated beam from  
12    the source, the beam splitter reflecting a portion of the beam to the micromirror array and  
13    receiving reflected light from the micromirror array along a main optical axis of the  
14    apparatus that extends from the micromirror array through the projection optics to the  
15    substrate, the beam splitter partially passing the light from the micromirror therethrough  
16    to the projection optics to be imaged on the active surface of the substrate.

17

18    5.     The apparatus of Claim 1 further including a filter receiving the light from the  
19    source and which selectively passes only desired wavelengths through to the micromirror  
20    array.

21

1     6.     The apparatus of Claim 1 wherein the substrate is transparent and light from the  
2     image former is passed through the transparent substrate to be imaged on the active  
3     surface of the substrate which is opposite to the surface which initially receives the light  
4     from the image former.

5

6     7.     The apparatus of Claim 6 further including a flow cell enclosing the active surface  
7     of the substrate and having ports for applying reagents into the flow cell which can be  
8     flowed over the active surface of the substrate.

9

10    8.     The apparatus of Claim 1 further including a computer connected to the  
11    micromirror device to provide command signals to control the deflection of the mirrors in  
12    the micromirror array to provide a desired pattern for projection onto the substrate.

13

14    9.     The apparatus of Claim 1 wherein the light provided by the light source is in the  
15    range of ultraviolet to near ultraviolet wavelengths.

16

17    10.    The apparatus of Claim 9 including a filter receiving the light from the source  
18    which selectively passes wavelengths in the ultraviolet and near ultraviolet and blocks  
19    longer wavelengths including infrared.

20

1 11. The apparatus of Claim 10 wherein the filter includes a dichroic mirror that  
2 reflects the selected wavelengths and passes the wavelengths to be blocked.

3

4 12. The apparatus of Claim 1 wherein the projection optics include focussing lenses  
5 and an adjustable iris, one of the lenses passing light through the adjustable iris and the  
6 other lens receiving the light passed through the iris and focussing that light onto the  
7 active surface of the substrate.

8

9 13. The apparatus of Claim 1 wherein the pattern of the micromirrors that is imaged  
10 onto the active surface of the substrate is reduced in size with respect to the size of the  
11 array of micromirrors.

12

13 14. The apparatus of Claim 1 wherein the projection optics is comprised of telecentric  
14 refractive optical elements, and including refractive lenses between the light source and  
15 the micromirror device that form a Kohler illumination system.

16

17 15. The apparatus of Claim 1 wherein the projection optics comprises telecentric  
18 reflective optical elements.

19

1 16. The apparatus of Claim 15 wherein the reflective optical elements include a  
2 concave mirror and a convex mirror, the concave mirror reflecting light from the  
3 micromirror device to the convex mirror which reflects it back to the concave mirror  
4 which reflects the light to the substrate where it is imaged.

5

6 17. The apparatus of Claim 16 including a planar mirror that reflects the light from  
7 the concave mirror to the substrate.

8

9 19. The apparatus of Claim 1 including a flow cell having a housing composed of a  
10 lower base and upper cover section and a gasket mounted on the base, wherein the  
11 substrate is a transparent glass slide secured between the upper cover section and the base  
12 to define a sealed reaction chamber between the substrate and the base that is sealed by  
13 the gasket, and channels extending through the housing from the input port to the reaction  
14 chamber and from the reaction chamber to the output port, the active surface of the  
15 substrate facing the sealed reaction chamber.

16

17 20. The apparatus of Claim 19 including means for detachably securing the substrate  
18 between the lower base and upper cover section to allow the substrate to be replaced.

19

- 1    21.    Apparatus for imaging a pattern on a surface, comprising:
- 2    (a)    a substrate with an active surface on which arrays may be formed;
- 3    (b)    a flow cell enclosing the active surface of the substrate and having ports for
- 4    applying reagents into the flow cell which can be flowed over the active surface of the
- 5    substrate;
- 6    (c)    an image former providing a high precision, two-dimensional light image
- 7    projected onto the substrate active surface, comprising:
- 8            (1)    a light source providing a light beam;
- 9            (2)    A micromirror device receiving the light beam from the source and
- 10   formed of an array of electronically addressable micromirrors, each of which can be
- 11   selectively tilted between one of at least two separate positions, wherein in one of the
- 12   positions of each micromirror the light from the source incident upon the micromirror is
- 13   deflected away from an optical axis and in a second of the at least two positions of the
- 14   micromirror the light is reflected along the optical axis; and
- 15            (3)    projection optics receiving the light reflected from the micromirrors along
- 16   the optical axis and imaging the pattern of the micromirrors onto the active surface of the
- 17   substrate.
- 18
- 19   22.    The apparatus of Claim 21 wherein the micromirror device is formed of a two
- 20   dimensional array of micromirrors.

21

1 23. The apparatus of Claim 21 including a lens for collimating the beam from the  
2 light source to provide a collimated beam projected onto the micromirror array at an  
3 oblique angle to a main optical axis that extends from the micromirror array to the  
4 substrate, and wherein in one position of each micromirror the light is reflected along the  
5 optical axis through the projection optics to the substrate and in a second position of each  
6 micromirror the light from the source is reflected at an angle off the main axis of the  
7 projection system and away from the substrate.

8

9 24. The apparatus of Claim 21 wherein the light source provides an output beam to a  
10 lens which collimates the output beam, and including a beam splitter positioned between  
11 the micromirror array and the projection optics and receiving the collimated beam from  
12 the source, the beam splitter reflecting a portion of the beam to the micromirror array and  
13 receiving reflected light from the micromirror array along a main optical axis of the  
14 apparatus that extends from the micromirror array through the projection optics to the  
15 substrate, the beam splitter partially passing the light from the micromirror therethrough  
16 to the projection optics to be imaged on the active surface of the substrate.

17

18 25. The apparatus of Claim 21 further including a filter receiving the light from the  
19 source and which selectively passes only desired wavelengths through to the micromirror  
20 array.

21

1    26.    The apparatus of Claim 21 wherein the substrate is transparent and light from the  
2    image former is passed through the transparent substrate to be imaged on the active  
3    surface of the substrate which is opposite to the surface which initially receives the light  
4    from the image former.

5

6    27.    The apparatus of Claim 21 further including a computer connected to the  
7    micromirror device to provide command signals to control the deflection of the mirrors in  
8    the micromirror array to provide a desired pattern for projection onto the substrate.

9

10   28.    The apparatus of Claim 21 wherein the light provided by the light source is in the  
11   range of ultraviolet to near ultraviolet wavelengths.

12

13   29.    The apparatus of Claim 28 including a filter receiving the light from the source  
14   which selectively passes wavelengths in the ultraviolet and near ultraviolet and blocks  
15   longer wavelengths including infrared.

16

17   30.    The apparatus of Claim 29 wherein the filter includes a dichroic mirror that  
18   reflects the selected wavelengths and passes the wavelengths to be blocked.

19



1 31. The apparatus of Claim 21 wherein the projection optics include focussing lenses  
2 and an adjustable iris, one of the lenses passing light through the adjustable iris and the  
3 other lens receiving the light passed through the iris and focussing that light onto the  
4 active surface of the substrate.

5

6 32. The apparatus of Claim 21 wherein the pattern of the micromirrors that is imaged  
7 onto the active surface of the substrate is reduced in size with respect to the size of the  
8 array of micromirrors.

9

10 33. The apparatus of Claim 21 including refractive lenses between the light source  
11 and the micromirror device that form a Kohler illumination system.

12

13 34. The apparatus of Claim 21 wherein the projection optics is comprised of  
14 telecentric reflective optical elements.

15

16 35. The apparatus of Claim 34 wherein the reflective optical elements include a  
17 concave mirror and a convex mirror, the concave mirror reflecting light from the  
18 micromirror device to the convex mirror which reflects it back to the concave mirror  
19 which reflects the light to the substrate where it is imaged.

20

1 36. The apparatus of Claim 35 including a planar mirror that reflects the light from  
2 the concave mirror to the substrate.

3

4 38. The apparatus of Claim 21 wherein the flow cell has a housing composed of a  
5 lower base and upper cover section is a gasket mounted on the base, wherein the substrate  
6 is a transparent glass slide secured between the upper cover section and the base to define  
7 a sealed reaction chamber between the substrate and the base that is sealed by the gasket,  
8 and channels extending through the housing from the input port to the reaction chamber  
9 and from the reaction chamber to the output port, the active surface of the substrate  
10 facing the sealed reaction chamber.

11

12 39. The apparatus of Claim 38 including means for detachably securing the substrate  
13 between the lower base and upper cover section to allow the substrate to be replaced.

14

CERTIFICATE OF SERVICE

It is hereby certified that a true copy of the foregoing CLEAN COPY OF  
CERRINA'S INVOLVED CLAIMS was served by e-mail/pdf upon:

oashe@gbpatent.com  
Oliver Ashe, Jr.  
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This 24<sup>th</sup> day of July, 2006



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Roger W. Parkhurst  
Reg. No. 25, 177  
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